

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

APR - 1 2015

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
KENNETH HUTCHINSON,) No.
)
Defendant.)

INDICTMENT
COUNT 1
BANKRUPTCY FRAUD

THE GRAND JURY CHARGES:

BACKGROUND

At all times relevant to the Indictment:

1. Defendant **KENNETH HUTCHINSON** (hereinafter referred to as "**HUTCHINSON**") was an individual who, through his various companies and entities, engaged in low income housing development, and provided consulting services in the areas of community development, minority business compliance, job training, and general business consulting. Defendant was primarily involved in development projects and consulting work within the 18th Ward of the City of St. Louis, Missouri.

2. Defendant **HUTCHINSON** owned and operated one and more companies and entities, including, but not limited to, Third Eye Investment and Development Corporation, TAALKE, LLC, Global 9, LLC, Delmar Market, LLC, and Chameleon Design Group, LLC. Through his company, Third Eye Investment and Development Corporation, defendant

HUTCHINSON also owned a building at 4201 - 09 Delmar Boulevard in the City of St. Louis, Missouri, and operated the Yummy Yummy Restaurant at that location.

3. Defendant **HUTCHINSON** maintained and controlled one and more bank accounts associated with his businesses. In particular, defendant maintained and controlled a bank account for his TAALKE LLC business at the Bank of America. During the period 2011 through 2013, in excess of \$1,200,000 was deposited into defendant's TAALKE LLC bank account, and defendant withdrew for his personal use approximately \$600,000 of those funds during the years 2012 and 2013; including approximately \$300,000 in debit card usage, and approximately \$80,000 in cash withdrawals.

BANKRUPTCY FRAUD

4. On or about January 23, 2014, in the Eastern District of Missouri, defendant, **KENNETH HUTCHINSON**, knowingly and fraudulently did make one and more false declarations, certificates, verifications and statements under penalty of perjury in relation to a bankruptcy petition, in the case In re Kenneth Huchinson, case number 14-40415, in the United States Bankruptcy Court for the Eastern District of Missouri, as follows:

A. Schedule A, Real Property. Defendant **HUTCHINSON** failed to list and identify a building he held an interest in at 4201-9 Delmar Boulevard, St. Louis, Missouri, which building was valued at between \$140,000 and \$205,000. Defendant operated his Yummy Yummy restaurant in this building;

B. Schedule B, Personal Property.

i. Defendant failed to list and identify a Bank of America bank account which he maintained and controlled in the name of TAALKE, LLC, account number

35400680XXXX;

ii. Defendant failed to list and identify a U.S. Bank account which he maintained and controlled in the name of Global 9, LLC, account number 15231466XXXX;

iii. Defendant failed to list and identify one and more companies and entities which he held an interest in, including TAALKE, LLC, Global 9, LLC, Chameleon Design Group, LLC, and Yummy Yummy Restaurant;

iv. Defendant failed to list and identify one and more automobiles of which he was the registered owner, including a 2006 Land Rover Sport, and a 2000 Chevrolet Corvette;

v. Defendant failed to list and identify restaurant and kitchen fixtures, equipment, and supplies which he owned and controlled and used in his Yummy Yummy restaurant.

C. Schedule D, Creditors Holding Secured Claims. Defendant failed to list and identify a Montgomery Bank loan, number 905437, on his building at 4201-9 Delmar Boulevard, which loan was originated by defendant on December 27, 2006 through his company Third Eye Investment and Development Corporation, and which loan defendant personally guaranteed. The outstanding balance on this loan at the time of defendant's bankruptcy filing was approximately \$120,000.

D. Bankruptcy Official Form B 61, Schedule I: Your Income. Defendant falsely represented and stated that he was employed as an "independent contractor" by TAALKE, LLC, and earned no wages, when, in fact and in truth, defendant was the owner and operator of TAALKE, LLC. Defendant falsely represented and stated that the only monthly

income he earned was \$1,800 from rental property or from operating a business, when, in fact and in truth, defendant withdrew for personal use approximately \$569,402.27 from the TAALKE, LLC bank account during the years 2012 and 2013 and up to the date of his bankruptcy filing, January 23, 2014. TAALKE, LLC's bank account had deposits totaling approximately \$1,411,251 for the years 2011, 2012, 2013 and up to the date of defendant's bankruptcy filing, January 23, 2014. Further, defendant failed to list and identify income and earnings he had through Global 9, LLC, a company he owned and operated, and which company had revenues and deposits of approximately \$82,750 during 2013.

E. Statement of Financial Affairs.

i. Defendant falsely represented and stated his gross amount of income for the years 2014 (\$1800), 2013 (\$10,800), and 2012 (\$7,323) when, in fact and in truth, he had gross income and revenues through TAALKE, LLC, and Global 9, LLC, two companies he owned and operated, of approximately \$635,757 during 2013, and gross income and revenues through TAALKE, LLC of approximately \$475,924 during 2012.

ii. Defendant falsely represented and stated his interest in any businesses, corporations, partnerships, or sole-proprietorships, listing and identifying only Third Eye Investment and Development Corporation, but omitting and failing to list and identify one and more others, including TAALKE, LLC, Global 9, LLC, Delmar Market, LLC, and Chameleon Design Group, LLC.

All In violation of Title 18, United States Code, Section 152(3).

A TRUE BILL.

FOREPERSON

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